

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:15-00113

BRIAN KEITH CONLEY

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On April 4, 2016, the United States of America appeared by W. Clinton Carte, Assistant United States Attorney, and the defendant, Brian Keith Conley, appeared in person and by his counsel, Rhett H. Johnson, Assistant Federal Public Defender, for a hearing on the petition on supervised release and amendment thereto submitted by United States Probation Officer Jeffrey D. Bella. The defendant commenced a three-year term of supervised release in this action on November 2, 2015, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on September 9, 2015.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant failed to submit monthly reports for the months of November and December, 2015; (2) the defendant failed to appear for a urine screen as directed on January 8, 2016; (3) the defendant failed to pay his special assessment as directed by the court at the rate of \$25 per month commencing on January 1, 2016, inasmuch as he did not make a payment on that date or any date thereafter; (4) the defendant failed to abide by the special condition that he spend a period of seven months on home confinement which commenced on November 9, 2015, and on January 1, 2016, the defendant left his residence without permission and did not return, rendering his whereabouts unknown until his arrest in Oak Hill, Ohio, on March 1, 2016; and (5) the defendant left the judicial district without permission inasmuch as he was arrested in Oak Hill, Ohio, as set forth above; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release and amendment thereto.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

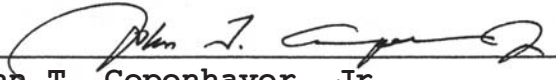
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of SIX (6) MONTHS, to be followed by a term of thirty (30) months supervised release upon the standard conditions of supervised release now in effect in this district by order entered June 22, 2007, and the further conditions that the defendant not commit another federal, state or local crime and that he pay the special assessment beginning on the first day of the second month after which supervised release commences at the rate of

\$25 per month with payment due on the first day of each month thereafter until paid in full.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: April 6, 2016

  
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John T. Copenhagen, Jr.  
United States District Judge